

Mr. SPEAKER.—I do understand that the entire House or at least a major part is interested in this question but then the main point is that the Hon'ble Member who tabled it is not here. It appears he is not interested in it.

Sri U. M. MADAPPA.—The Chair can put it in the interest of the House. There is a provision to that effect in the Rules.

Mr. SPEAKER.—Why should I do it?

Sri J. B. MALLARADHYA.—The majority of this section is very much interested in it.

Mr. SPEAKER.—After all, I should not be made an instrument in such matters. The Hon'ble Member who tabled it must have been very careful. He must have been present. However, in view of the question being a matter of urgent public importance, I put it myself.

SHORT NOTICE QUESTION AND ANSWER.

Criminal Assault on a Woman by the staff of the Seshadripuram Police Station.

†Q.—130. **Sri T. PARTHASARATHY** (Mallawaram).—

Will the Government be pleased to state:—

(a) whether it is true that criminal assault was committed by the staff of the Seshadripuram Police Station recently on a woman, resulting in her death later in hospital;

(b) the steps they propose to take against these officials;

(c) whether they will appoint a high-power committee to probe into this matter?

A.—**Sri C. M. POONACHA** (Minister for Home Affairs and Industries).—

(a) No.

(b) Does not arise.

(c) No.

Sri V. P. DEENADAYALU NAIDU.—I rise to a point of order, Sir. This question has something to do with the ruling which the Hon'ble Speaker was pleased to give some time ago. In the light of that, I would like to be enlightened as to how this question became admissible.

Mr. SPEAKER.—That means the Hon'ble Member has not understood the ruling I gave in this matter. I said that this matter is not *sub judice*.

Sri V. P. DEENADAYALU NAIDU.—Sir, I followed very well the Punjab decision which threw this matter open for discussion, but the Hon'ble Speaker was pleased to tell us that there were certain rulings of this House which would have to be respected. In the light of that, it is not desirable that this discussion should take place. Therefore, in the light of the rulings of this House, I want to know whether this question becomes admissible.

Mr. SPEAKER.—What I said has not been properly understood by the Hon'ble Member. What I said was that I was disallowing the adjournment motion on the ground that there were other parliamentary methods open to Hon'ble Members for raising this subject. I also indicated then that there was a short notice question tabled on this subject by one of the Hon'ble Members.

Sri V. SRINIVAS SHETTY.—Is it not a fact that one woman by name Muniyamma was arrested and taken to the Seshadripuram Police Station and questioned on the 18th?

Sri C. M. POONACHA.—That is not so. No person by name Muniyamma was arrested on that day. On the other hand, one Mrs. Sarojamma, wife of Chinnathambi, went to the Police Station and lodged a complaint to the effect that she has lost one of her ear rings. They had taken one Muniyamma along with them and they suspected Muniyamma of having taken that ear ring. This complaint was lodged and an enquiry was made. It was not a proved case of theft because it was an incident of losing a thing. It was a non-cognisable offence. An entry was

† The question was put by the Chair.

made in the case diary and the parties were let off.

Sri V. SRINIVAS SHETTY.—Was a notice issued to the complainant in this case?

Sri C. M. POONACHA.—No.

Sri V. SRINIVAS SHETTY.—How long was Muniyamma retained in the Station?

Sri C. M. POONACHA.—Just for 10 to 15 minutes.

Sri C. J. MUCKANNAPPA.—With reference to (a), is it not a fact that she complained to the Hon'ble Home Minister and to the Inspector-General of Police on 19th February 1958 about the Seshadripuram Police having committed rape on her?

Sri C. M. POONACHA.—That is not true. The petition which seems to have been filed by Muniyamma was received by the District Superintendent of Police on the 21st February. On that due enquiries were made: Muniyamma failed to appear before the enquiry and verification of the allegations showed that the allegations were not true.

Sri Y. VEERAPPA.—Was there any complaint by Muniyamma that her modesty was outraged?

Sri C. M. POONACHA.—No. On the 18th when she first went to the Malleswaram Maternity Hospital and made a complaint before the lady doctor, the assistant doctor and also the nurse in attendance, she said that she was assaulted by a neighbour and that she wanted a medico-legal certificate. The doctors there advised her to go to the Victoria Hospital for a medico-legal certificate as they were only treating maternity cases and were not competent to issue such certificates.

Sri G. VENKATAI GOWDA.—Whether any *post-mortem* examination was conducted on the body of this woman and if so, what were the findings as to the cause of the death?

Sri C. M. POONACHA.—An inquest was held over the body and a *post mortem* examination was conducted and the *post mortem* examination revealed that Muniyamma's death was due to Toximia caused by enteric group of organisms.

Sri M. C. NARASIMHAN.—May I know if the enquiry by the *ex officio* Magistrate is completed?

Sri C. M. POONACHA.—The enquiry is not yet completed because some important persons whose statements are required to be recorded are not available; particularly Sarojamma and her husband are not available and the *ex officio* Magistrate is waiting to have their statements recorded.

Sri M. C. NARASIMHAN.—What is the basis on which the Hon'ble Minister is giving this information even though the Magistrate's enquiry is not yet completed?

Sri C. M. POONACHA.—If the enquiry had been completed, naturally we should have had a fuller report of the enquiry that was conducted. Government have not yet received that report.

Sri J. VENKATAPPA.—May I know the nature of the complaint that is made by Muniyamma as per the petition received by the D.S.P.?

Sri C. M. POONACHA.—In the petition it is said that her modesty was outraged and that she was criminally assaulted.

Sri V. SRINIVAS SHETTY.—By whom?

Sri C. M. POONACHA.—By the Police.

Sri C. J. MUCKANNAPPA.—Sir, the Hon'ble Minister was pleased to say that the *post-mortem* report was to the effect that her death was due to other reasons. It is not a fact that on 18th February 1958 a certificate was issued by the authorities of the Victoria Hospital to the effect that she was beaten severely and external injuries were caused on her body and that it was better that she should seek medical aid?

Sri C. M. POONACHA.—When she went to Victoria Hospital and complained of some injuries having been caused by an assault, the doctor did issue a certificate and that certificate said that she had contusions one on the right leg and another on the back. They were treated by him and it did not require treatment as an inpatient in the hospital. To that effect a certificate was given.

Sri J. B. MALLARADHYA.—May I know if any lady doctor examined Muniyamma when she went to Victoria Hospital?

Sri C. M. POONACHA.—When she appeared at the Victoria Hospital and made a complaint, the Doctor after examining her, asked her whether she would wish to be examined by a lady doctor. A specific question was put and she said that there was no necessity for a lady doctor to examine her.

Sri J. B. MALLARADHYA.—Is there anything on record to substantiate the statement that Muniyamma refused to get herself examined by a lady doctor?

Sri C. M. POONACHA.—I have seen the records.

Sri J. B. MALLARADHYA.—May I know from the Hon'ble Minister, what is the record in which this particular statement is to be found? What is the basis for the inference that the late Muniyamma considered it unnecessary to be examined by a lady doctor as such? What is the record on which the Hon'ble Minister is relying?

Sri C. M. POONACHA.—That is the record in the Victoria Hospital Register of treatment rendered to out-patients and also in the register where medico-legal certificates are issued.

Sri J. B. MALLARADHYA.—Are there specific entries to the effect that Muniyamma refused to be examined by a lady doctor?

Sri C. M. POONACHA.—Yes. It is further corroborated by the statements recorded by the officers.

ಶ್ರೀ ಇ. ನಾರಾಯಣಗೌಡ.—ಕೆಲವು ಪತ್ರಿಕೆಗಳಲ್ಲಿ ಮುನಿಯಮ್ಮನ ಸಾವಿನ ಬಗ್ಗೆ ನತ್ಯಾಂಶ ಪ್ರಕಟವಾಗಿದೆ. ಈ ವಿಚಾರದಲ್ಲಿ ಸರ್ಕಾರದವರ ಅಭಿಪ್ರಾಯವೇನು?

ಅಧ್ಯಕ್ಷರು.—ಪತ್ರಿಕೆಗಳಲ್ಲಿರುವ ವಿಷಯವನ್ನು ಇಲ್ಲಿ ಕೇಳಕೂಡದು. ತಮಗೆ ತಿಳಿದಿರುವ ವಿಷಯವನ್ನು ಮಾತ್ರ ಕೇಳಬಹುದು. ಪತ್ರಿಕೆಯಲ್ಲಿ ಬಂದಿರುವ ವಿಷಯದಲ್ಲಿ ನಿಮಗೆ ನಂಬಿಕೆ ಇದ್ದರೆ, ಸತ್ಯವಿದೆ ಎಂದು ತಿಳಿದರೆ ಪ್ರಶ್ನೆ ಹಾಕಬಹುದು.

Sri C. K. RAJIAH SETTY.—May I know whether any dying declaration or statement was recorded?

Sri C. M. POONACHA.—No such statement was recorded.

Sri V. SRINIVAS SHETTY.—The doctor is said to have given a certificate as to the number of injuries. Did the

doctor intimate the fact that she had injuries, to any police station, as he is bound to do?

Sri C. M. POONACHA.—I do not have any information. I will find out.

Sri V. SRINIVAS SHETTY.—Sir, did not the residents of the locality where this Muniyamma resided file a petition before the authorities that she was dying because of these injuries, and was any investigation held on account of this petition?

Sri C. M. POONACHA.—Sir, on the 28th, a petition was submitted to me in person by my Hon'ble friend Dr. T. Parthasarathy. That was a copy of a petition which was submitted to the I.G.P. Immediately action was taken. An inquest was held and a *post-mortem* examination also was conducted. Due action was taken on the petition received.

Sri G. VENKATAI GOWDA.—Sir, you were pleased to say that she first went to a lady doctor and complained that she had been assaulted by a neighbour. Is there any record to substantiate this fact?

Sri C. M. POONACHA.—These things, I am sure, were the particular points on which the Magistrate would have conducted the enquiry and after receipt of this report, I think this matter would be better clarified.

Sri J. B. MALLARADHYA.—In answer to (c), the Minister is pleased to say: 'No'. Why is the Government coming to this decision even before the magisterial enquiry is completed?

Sri C. M. POONACHA.—*Prima facie* on facts available, the Government do not think that there is need to appoint a committee. After receipt of the enquiry report, if such a thing is warranted, Government will take due action.

Sri J. B. MALLARADHYA.—Are the Government aware, Sir, that two witnesses who should have appeared before the Magistrate have been deliberately kept back for reasons best known to those in charge of the enquiry?

Sri C. M. POONACHA.—Sir, the Hon'ble Member is not disclosing the names. I am unable to answer such a question. The complainant herself is not to be found.

Sri J. B. MALLARADHYA.—Is the Government aware that these two witnesses have been deliberately kept back and that the complainant herself has given this information?

Sri C. M. POONACHA.—As I mentioned earlier, Sir, Sarojamma and her husband are absconding and also the paramour.

Mr. SPEAKER.—Question time is over.

BUDGET FOR 1958-59—GENERAL DISCUSSION.

(Continued)

Sri J. B. MALLARADHYA (Nanjangu).—Sir, I rise to offer a few remarks on some aspects of the Budget proposals of 1958-59 placed before this House. I must first refer to the very high sense of duty and spirit of service that prompted the Hon'ble Minister for Finance Sri Mariappa to be personally present in this House to present the Budget at great personal inconvenience. I must say he took a risk when he was in a very delicate state of health. We on this side of the House and I presume even the members on the other side of the House are all anxious that he should be soon restored to normal health in the interests of the State.

At first sight it might appear that it is a matter for gratification that the Hon'ble Finance Minister has presented a surplus budget. I am afraid it can only give psychological satisfaction to Members of the Cabinet and those on the other side of the House. It is true that as against a staggering deficit budget of Rs. nine crores and odd in the previous year, a surplus budget of Rs. 14.05 lakhs has been presented this year. This is perhaps in response to the directive issued by the Planning Commission and out of deference to the wishes expressed by the Santhanam Finance Commission that this surplus Budget has been placed before this House. I am not sure, Sir, if this surplus budget will ever give satisfaction either to the Planning Commission or the Government of India or even the Fin-

ance Commission in regard to the manner and method in which this Budget has been prepared. As I shall presently indicate or prove, this surplus is nominal. But in fact, it should have been treated as a deficit budget. I do not hope that the Treasury Benches will misunderstand me if I say that this kind of very clever and dexterous attempt at presenting figures to this House is not likely to convince this section of the House, when we are in a position to look at it with eyes open. I do not wish to use the expression used on the floor of the other House by a distinguished colleague, who called it 'financial jugglery'. I looked at the dictionary for the meaning of the word 'jugglery'. The word 'jugglery' has a sinister connotation and an element of fraud is associated with it. I would not go to the length of characterising the administration in these very uncharitable terms. I have been associated with the Military and the Army for some time. I would like to call it as statistical camouflage so far as this Budget is concerned.

Sri V. P. DEENADAYALU NAIDU (Cubbonpet).—On a point of information.

Sri J. B. MALLARADHYA.—I am not prepared to yield.

Sri V. P. DEENADAYALU NAIDU.—On a point of order.

Mr. SPEAKER.—How can a point of information become changed to a point of order?

Sri V. P. DEENADAYALU NAIDU.—The Hon'ble Member has mentioned about the Budget having been referred to as 'jugglery' in the other august House. I would like to know whether it would be correct for an Hon'ble Member of this House to sit in judgment or to comment on the proceedings of another august House.

Mr. SPEAKER.—The Hon'ble Member did not make any comment of that sort. He showed his unwillingness to characterise this Budget as 'jugglery'. He said instead 'statistical,' camouflage.

Sri V. P. DEENADAYALU NAIDU.—Jugglery associated with fraud. It was his comment...